

309 U. S. Cases Disposed of Without Consideration by the Court.

CASES DISPOSED OF WITHOUT CONSIDERATION
BY THE COURT, FROM JANUARY 16, 1940,
THROUGH APRIL 22, 1940.

No. 591. METROPOLITAN LIFE INSURANCE CO. *v.* BANION, ADMINISTRATOR, ET AL. On petition for writ of certiorari to the Circuit Court of Appeals for the Tenth Circuit. January 29, 1940. Dismissed per stipulation of counsel. *Messrs. William E. Mullen, Horace N. Hawkins, Harry Cole Bates, and Edward J. Boughton* for petitioner. *Messrs. William J. Wehrli and E. E. Enterline* for respondents. Reported below: 106 F. 2d 561.

No. 518. FIRST NATIONAL BANK OF ALTOONA, TRUSTEE,
v. COMMISSIONER OF INTERNAL REVENUE;

No. 519. INDEPENDENT OIL CO. *v.* SAME;

No. 520. ROSENFELT *v.* SAME;

No. 521. HIRSCH *v.* SAME;

No. 522. S. M. COHN *v.* SAME;

No. 523. H. L. COHN *v.* SAME;

No. 524. C. N. COHN *v.* SAME;

No. 525. B. COHN TRUST *v.* SAME; and

No. 526. B. COHN *v.* SAME. On petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit. February 26, 1940. Dismissed on motion of counsel for the petitioners. *Messrs. S. Leo Rushland and Samuel Kaufman* for petitioners. *Solicitor General Biddle* for respondent. Reported below: 104 F. 2d 865.

No. 527. HELVERING, COMMISSIONER OF INTERNAL
REVENUE, *v.* INDEPENDENT OIL CO.;

No. 528. SAME *v.* ROSENFELT;

No. 529. SAME *v.* HIRSCH;

- No. 530. SAME *v.* S. M. COHN;
No. 531. SAME *v.* H. L. COHN;
No. 532. SAME *v.* C. N. COHN;
No. 533. SAME *v.* B. COHN TRUST; and
No. 534. SAME *v.* B. COHN. On petition for writs of certiorari to the Circuit Court of Appeals for the Third Circuit. February 26, 1940. Dismissed on motion of counsel for the petitioner. *Solicitor General Biddle* for petitioner. *Messrs. S. Leo Rushlander and Samuel Kaufman* for respondents. Reported below: 104 F. 2d 865.
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PETITIONS FOR REHEARING GRANTED, FROM
JANUARY 16, 1940, THROUGH APRIL 22, 1940.

No. 473. MCGOLDRICK, COMPTROLLER OF THE CITY OF NEW YORK, *v.* GULF OIL CORP. February 5, 1940. The petition for rehearing is granted. The judgment entered January 15, 1940, *ante*, p. 2, is vacated and the case is restored to the docket for reargument and assigned for hearing on Monday, February 26, next. *Messrs. William C. Chanler, Paxton Blair, and Sol Charles Levine* for petitioner. *Mr. Matthew S. Gibson* for respondent. Reported below: 256 App. Div. 207; 281 N. Y. 647; 282 N. Y. 612; 9 N. Y. S. 2d 544; 22 N. E. 2d 480; 25 *id.* 392.

No. 87. WHITE *v.* TEXAS. See *ante*, pp. 631, 641.

No. 584. CRANE-JOHNSON COMPANY *v.* COMMISSIONER OF INTERNAL REVENUE. March 25, 1940. The motion for leave to file petition for rehearing is granted. The petition for rehearing is also granted. The order denying certiorari, 308 U. S. 627, is vacated and the petition for writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit is granted. *Mr. John E.*